

Long-Term Services and Supports Trust Commission

Supplemental Private LTC Insurance

Workgroup Charter

Purpose

This LTSS Trust Commission workgroup will work with insurers to support the development of private long-term care insurance products that supplement (i.e. “wrap around”) the WA Cares Fund benefit. The workgroup has four primary objectives:

- Serve as a forum for clarifying questions, providing information, and solving problems surrounding the relation of supplemental private long-term care insurance plans to the WA Cares Fund benefit;
- Identify and develop recommendations to reduce impediments to the design of attractive, affordable supplemental private insurance plans;
- Identify and develop recommendations to manage coordination of benefits challenges between the WA Cares Fund benefit and supplemental private insurance plans;
- Develop recommendations for consumer protections in supplemental plans that ensure consistency with NAIC model Act consumer protections and to the extent needed, strengthen such protections for these supplemental policies.

In its work, the workgroup will adhere to the LTSS Trust Foundational Principles that were approved by the LTSS Trust Commission in September 2020:

- Respect the dignity and autonomy of beneficiaries in determining how and from whom they receive care
- Be customer focused
- Provide a seamless, quality user experience
- Be accessible to all Washingtonians both online and through a strong community presence
- Promote development of a long-term services and supports workforce and provider network to meet increased demand with high-quality, culturally competent services
- Ensure beneficiaries have a broad range of services and supports from which to choose
- Ensure outreach and policies are consistent with values of diversity, equity and inclusion
- Focus on solutions that are not rooted in tradition but are tailored to delivering new program benefits and meeting needs of current and future participants
- Respond to changing conditions, needs, and opportunities
- Be strong stewards of worker contributions by maintaining the financial stability and sustainability of the Trust
- Protect beneficiaries and the Trust Fund from program fraud
- Raise awareness of the benefit among all Washingtonians
- Provide accurate data to decision makers.

The workgroup will present its recommendations to the LTSS Trust Commission. The Commission will make formal recommendations to DSHS and the Legislature.

Background

RCW 50B.04.030 (7) directs the LTSS Trust Commission to “work with insurers to develop long-term care insurance products that supplement the program's benefit.” A Commission workgroup will be convened in the fall of 2021 to meet through the spring of 2022. The workgroup’s recommendations will be presented to the LTSS Trust Commission in the summer of 2022. The Commission will finalize a set of

recommendations regarding supplemental LTCI products to the administering agencies and the Legislature in the fall of 2022.

Membership

The workgroup will consist of:

- the Chair of the LTSS Trust Commission (or designee), who will serve as Chair of the Workgroup;
- the Washington State Insurance Commissioner or designee;
- the Director of the Health Care Authority or their designee;
- five other members of the LTSS Trust Commission;
- five representatives from private long-term care insurance carriers currently selling policies in Washington State;
- two consumer protection advocates with expertise in long-term care insurance.

Procedure

- The workgroup will strive for consensus in all its recommendations.
- Where consensus cannot be achieved, a recommendation may be approved by a vote of two-thirds of the workgroup members.

Timeline and scope

- This workgroup will meet approximately four times between the fall of 2021 and the spring of 2022.
- The workgroup will provide updates on its work to the LTSS Trust Commission at its meetings during the first half of 2022 and present a final report to the LTSS Trust Commission by June 30, 2022.
- In July 2022, the Commission workgroup will report out its recommendations to the full LTSS Trust Commission. By September 2022, based on the workgroup recommendations, a set of Commission recommendations will be drafted and at the November 2022 meeting, finalized.
- In Scope:
 - Identifying barriers to the design of supplemental coverage and making recommendations to reduce these
 - Identifying and developing recommendations to manage coordination of benefits challenges between the WA Cares Fund benefit and supplemental private insurance plans;
 - Identifying consumer protections for Washingtonians who purchase these plans that at a minimum are consistent with NAIC Model Long-Term Care Act provisions
- Out of Scope:
 - Changes to [RCW 50B.04](#)
 - Recommendations related to exemptions (opt out) from the WA Cares Fund program
 - Recommendations related to the Medicaid program.

Charter Approval

The LTSS Trust Commission approved the charter by majority vote on [future date].